

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHANNON JONES,
Plaintiff,

CIVIL ACTION

v.

**FC USA, INC., doing business as
“LIBERTY TRAVEL,”
AMR GP HOLDINGS, LLC, and
AMRESORTS, L.P., doing business as
“BREATHLESS PUNTA CANA RESORT
AND SPA,”
Defendants.**

NO. 17-1126

ORDER

AND NOW, this 13th day of November, 2017, upon consideration of Defendant Flight Centre Travel Group (USA) Inc. f/n/a FC USA, Inc. d/b/a/ Liberty Travel’s Motion to Dismiss (Doc. No. 14, filed June 26, 2017), Defendants AMResorts, L.P. and AMR GP Holdings, LLC’s Motion to Dismiss for Forum Non Conveniens and/or to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 15, filed June 27, 2017), Plaintiff’s Brief in Opposition to Defendant FC USA, Inc. d/b/a Liberty Travel’s Motion to Dismiss (Doc. No. 19, filed July 26, 2017), Plaintiff’s Brief in Opposition to Defendant AMR GP Holdings, LLC and AMResorts, L.P. d/b/a Breathless Punta Cana Resort and Spa’s Motion to Dismiss (Doc. No. 20, filed July 27, 2017), and Reply in Support of Defendants AMResorts, L.P. and AMR GP Holdings, LLC’s Motion to Dismiss for Forum Non Conveniens and/or to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 23, filed Aug. 15, 2017), for the reasons set forth in the accompanying Memorandum dated November XX, 2017, **IT IS ORDERED** that Defendant Flight Centre Travel Group (USA) Inc. f/n/a FC USA, Inc. d/b/a/ Liberty Travel’s Motion to Dismiss is **GRANTED** on forum non conveniens grounds and Defendants AMResorts, L.P. and AMR GP Holdings, LLC’s Motion to

Dismiss is **GRANTED** on forum non conveniens grounds on condition that defendants agree to waive any defenses that plaintiff's claims are time barred under the Dominican Republic's statute of limitations. The dismissal is **WITHOUT PREJUDICE** to plaintiff's right to initiate a suit in the Dominican Republic within six (6) months. If additional time for initiating suit in the Dominican Republic is required, it must be requested by letter to Chambers, within six (6) months, stating reasons for the requested extension.

IT IS FURTHER ORDERED that, on or before Monday, November 20, 2017, each defendant shall file and serve a waiver of any defenses that plaintiff's claims are time barred under the Dominican Republic's statute of limitations. If both defendants do not waive the statute of limitations defenses, this Order, and the accompanying Memorandum, **SHALL BE VACATED**, and the Court will address the remaining issues raised in the motions to dismiss.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.